

# Notice of Allowability

Application No.

09/584,120

Examiner

Alexander Boakye

Applicant(s)

CHEN MICHAEL

Art Unit

2667

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/16/04.
2. ☒ The allowed claim(s) is/are 1-5, 17, 19-21, 23-26, 28, 30-40; renumbered as 1-35 respectively.
3. ☒ The drawings filed on 18 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: Claims 1-15, 17, 19, 20, 21, 23-26, 28 and 30-40 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims. As to claims 1-15, the prior art of record does not teach a comparison module for comparing the arrival time with the playback time for determining whether the frame arrived on schedule, the comparison module operable to determine an amount of time between the arrival time and the playback time if the frame did not arrive on schedule. As to claims 17, 19, 21 and 39, the prior art of record does not teach determining whether the multimedia buffer system is at a maximum depth; and altering the depth of the multimedia buffer system if the frame arrived late and the multimedia buffer system is not at the maximum depth.

As to claims 23-26, the prior art of record does not teach determining whether the multimedia buffer system is at a minimum depth; and altering the depth of the multimedia buffer system if the frame arrived early and the multimedia buffer system is not at the minimum depth.

As to claims 28, 30-38, the prior art of record does not teach determine an amount of time the frame arrived late based on an amount of time that the arrival-time exceeds the playback-time if the frame did not arrive on schedule.

As to claim 39, the prior art of record does not teach means for determining whether the frame arrived late, the frame arriving late if the arrival-time is greater than the playback-time; means for maintaining a late count representing a number of frames arriving late; means for determining whether the late-counter exceeds a predetermined value.

As to claim 40, the prior art of record does not teach means for determining whether the frame arrived early, the frame arriving early if the arrival-time is less than the playback-time, means for maintaining an early count representing the number of frames arriving early; means for determining whether the early count exceeds a predetermined value.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (571) 272-3183. The examiner can normally be reached on M-F from 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (571) 272-3179. The fax number is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or


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proceeding should be directed to the group receptionist whose telephone number is  
(703) 305-4750.

Alexander Boakye

**AB**  
Patent Examiner

9/06/04

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600 9/13/04